

SENATE JUDICIARY

EXHIBIT NO. 7
DATE 1/21/11
BILL NO. SB114

Date: 1-20-11

To the **Senate Judiciary Committee**

Chair: Jim Shockley (R-Victor)

Vice Chair: Terry Murphy (R-Cardwell)

Shannon Augare (D-Browning), Anders Blewett (D-Great Falls), Greg Hinkle (R-Thompson Falls), Rowlie Hutton (R-Havre), Larry Jent (D-Bozeman), Cliff Larsen (D-Missoula), Lynda Moss (D-Billings), Jim Peterson (R-Buffalo), Chas Vincent (R-Libby)

Senate Bill 114; Sheriff must authorize federal employee arrest, search, or seizure.

AN ACT REGULATING ARRESTS, SEARCHES, AND SEIZURES BY FEDERAL EMPLOYEES; PROVIDING THAT FEDERAL EMPLOYEES MUST OBTAIN THE COUNTY SHERIFF'S PERMISSION TO ARREST, SEARCH, AND SEIZE; PROVIDING EXCEPTIONS; PROVIDING FOR PROSECUTION OF FEDERAL EMPLOYEES VIOLATING THIS ACT; REJECTING FEDERAL LAWS PURPORTING TO GIVE FEDERAL EMPLOYEES THE AUTHORITY OF A COUNTY SHERIFF IN THIS STATE.

This bill would make it a state crime for a federal office to arrest, search, or size in Montana without first getting the advanced, written permission of the elected county sheriff of the county in which the event is to take place. Locally-elected sheriffs are accountable to the people and are supposed to the chief law enforcement officer of the county, bar none. This bill puts teeth into the expectation that federal agents must operate with the approval of the sheriff, or not at all. It also gives the local sheriff tools necessary to protect the people of his county, and their constitutional rights. There are exception in the legislation for "hot pursuit", U.S. Customs and Border Patrol, corrupt sheriffs, and more.

I fully support SB114 and want to see it become Montana Law.

Signed: 

Kirk M. Swanson 1201 Martin Crk Ln. Whitefish, Mt 1-20-11
Printed Name Mailing Address City/ST Date

Also, these additional Montana citizens support SB117 and urge this committee to further it in the process to becoming Montana law!

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| 1. | <u>Marsha Swanson</u> / <u>Marsha Swanson</u> | <u>1201 Martin Crk Ln</u> | <u>Whitefish, Mt</u> | <u>1-20-11</u> |
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